

**Motion DENIED.**

This the 5th day of May, 2020.

/s/Louise W. Flanagan, U.S. District Judge UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:13-CR-13-1FL

UNITED STATES OF AMERICA

v.

JOSHUA DAVIS

MOTION TO REOPEN DETENTION  
PROCEEDINGS TO SET  
CONDITIONS OF RELEASE AND  
INCORPORATED MEMORANDUM  
OF LAW

The defendant, Joshua Davis, by and through undersigned counsel, hereby moves this Court, pursuant to 18 U.S.C. § 3142(f)(2)(B) to reopen the issue of whether he should be detained pending further proceedings and to release him from custody based on now-existing information that was not known to Mr. Davis at the time of the detention hearing held on November 25, 2019. Mr. Davis does not seek a successive detention hearing. Mr. Davis requests that this Court consider the now-existing information, as described below, to set conditions of release.

Mr. Davis is in the custody of the U.S. Marshal and is currently housed at the Albemarle District Jail in Elizabeth City, North Carolina. Since the date of Mr. Davis' detention hearing, a novel coronavirus —COVID-19—has spread across North Carolina. As of April 29, 2020, there have been 36 cases of COVID-19 in Pasquotank County, including one death.<sup>1</sup>

Mr. Davis requests that the Court reopen the detention proceedings, and set conditions of release, to include home confinement in Goldsboro, North Carolina, along with any other conditions the Court deems appropriate.

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<sup>1</sup> NC Cases COVID-19 By Counties, <https://www.ncdhhs.gov/divisions/public-health/covid19/covid-19-nc-case-count#by-counties>.